

23-2156

IN THE  
**United States Court of Appeals  
for the Fourth Circuit**

Richmond, Virginia

<b>ANDREW U. D. STRAW,</b>	)	
<i>Appellant-Plaintiff, Pro Se,</i>	)	
	)	
v.	)	
	)	<b>CAMP LEJEUNE JUSTICE ACT</b>
<b>UNITED STATES,</b>	)	
<i>Appellee-Defendant.</i>	)	<b>ORAL ARG. NOT REQUESTED</b>

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Appeal from the United States District Court for  
the Eastern District of North Carolina, Southern Division  
Case No. 7:23-cv-00162-BO-BM  
The Honorable Judge Terrence W. Boyle

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AFFIDAVIT REGARDING CONSEQUENCES OF INACTION

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s/ ANDREW U. D. STRAW  
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SERVICE BY EMAIL (ENOTICE) PREFERRED

I, *Appellant* Andrew U. D. Straw, make this AFFIDAVIT to provide evidence of the consequences associated with inaction on my demands and so depose:

1. I have a Home Health Aide, Leslie C. Tabbada.
2. She has an 18 year old son, Mark Tabbada, who has a very extreme case of autism and has suffered from this since birth. He lives with us.
3. Mark has habits that result in extreme emotional responses when not met.
4. For instance, he does not just like watching TV, but he memorizes every single program and advertisement jingle, very much like Dustin Hoffman's character in Rain Man. Their behaviors are similar with respect to these needs and the emotional outbursts that happen when they are not met.
5. Over a year ago, Mark's TV broke. While he also has a tablet which he uses to watch programs, he has been in a sort of mourning for the TV, which remains broken in the living room. He talks to it like it is a person.
6. Mark sometimes sneaks out of the house and roams the neighborhood looking for some window to be open and the person inside watching the programs he used to watch.
7. At one point, when he first started doing this, people in the community thought that he was some kind of peeping Tom, but his intent was actually much more benign. Because they did not understand why he had these behaviors, people started throwing rocks at Mark and physically injured him.
8. We had to go to the local constable to get protection for Mark.
9. This roaming and looking for TVs showing his programs emerges now and then because we still do not have a TV for him to watch. I don't have money on SSDI

to buy a TV for him—or in fact pay Leslie **at all** except room and board. She has no other significant support but mine for herself and her 4 children.

10. Mark was crying, wailing actually, for a TV again this evening and his distress and screaming affected me and motivated me to make this affidavit so the Court understands why I made a motion to expedite decision on my appeal.

11. There is a great deal of pain that happens as a direct result of courts not giving me the justice that I request. There are real consequences that flow around this world when courts delay justice that is due, or deny it altogether.

12. I have asked this Court and the one below to give me health payments and education payments in the form of a loan. **\$6,400 per month.**

13. If I had my loan, I could have already given Leslie the money she needs to buy this TV and calm the disturbed waters of her severely disabled son.

14. When I am not paid, she is not paid, and it is as simple as that.

15. I am a Camp LeJeune victim, born and poisoned there smack in the middle of the poisoning time (1968-1970) and doctors have said I have depression, bipolar, schizophrenia, psychosis, anxiety, migraines with auras, and “autistic thinking.” My Camp LeJeune Naval Hospital birth records show I have a cardiac birth defect and medical research shows this “VSD” is associated with mental illness and PCE exposure.

16. Perhaps my so-called “autistic thinking” as Dr. Bory called it makes me more sympathetic to Mark’s plight and pain.

17. Please agree to the relief I request and please do it quickly so the damage from not having this money can be relieved for this entire household, this disabled young man, Mark, and the community in which we live.

18. Further, *affiant* sayeth naught.

I, Andrew U. D. Straw, verify that the statements above are true and correct on penalty of perjury.

Signed this 16<sup>th</sup> day of January, 2024

Respectfully,



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#### CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I electronically filed the foregoing **AFFIDAVIT** with the Clerk of Court using the CM/ECF system, which will serve the attached on all counsel of record. The government should be obliged to review the docket and appear and accept CM/ECF service now that I have made it aware of this appeal. *See, Dkt. 19.* I also mailed on the below date a copy of this document via U.S. Mail, First Class and Postage Prepaid, to the appellee at: P.O. Box 340, Ben Franklin Station, Washington, DC 20044-0340 Date: 16<sup>th</sup> day of January, 2024



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